

REMARKS

The paper is in response to the Office Action mailed August 18, 2010 (“the Office Action”). The foregoing amendment amends claims 60, 70, and 77. No new matter has been entered. Claims 60-71 and 74-87 are now pending in view of the amendments. Applicants respectfully request reconsideration of the application in view of the above amendments to the claims and the following remarks. For Examiner’s convenience and reference, Applicants present remarks in the order that the Office Action raises the corresponding issues.

In connection with the prosecution of this case and any related cases, Applicants have, and/or may, discuss various aspects of the disclosure of the cited references as those references are then understood by the Applicants. Because such discussion could reflect an incomplete or incorrect understanding of one or more of the references, the position of the Applicants with respect to a reference is not necessarily fixed or irrevocable. Applicants thus hereby reserve the right, both during and after prosecution of this case, to modify the views expressed with regard to any reference.

Please note that Applicants do not intend the following remarks to be an exhaustive enumeration of the distinctions between any cited references and the claims. Rather, Applicants present the distinctions below solely by way of example to illustrate some of the differences between the claims and the cited references. Finally, Applicants request that Examiner carefully review any references discussed below to ensure that Applicants’ understanding and discussion of any reference is consistent with Examiner’s understanding.

Unless otherwise explicitly stated, the term “Applicants” is used herein generically and may refer to a single inventor, a set of inventors, an appropriate assignee, or any other entity or person with authority to prosecute this application.

Examiner’s Interview

Applicant thanks the Examiner for the telephone interview of October 6, 2010 during which Applicant’s attorney presented proposed claims amendments and arguments as to the teachings of the cited references during the telephone interview. It was Applicant’s

understanding that the Examiner agreed that the proposed amendments overcome the prior art rejections.

Rejection Under 35 U.S.C. §103

The Office Action rejects claims 60-64, 66-71, 75-82 and 84-87 under 35 U.S.C. §103(a) over U.S. Publication No. 2009/0157531 to Bui (hereinafter “Bui”) in view of U.S. Publication No. 2009/0125429 to Takayama (hereinafter “Takayama”). The Office Action rejects claims 65, 74 and 83 under 35 U.S.C. §103(a) over Bui, Takayama and U.S. Publication No. 2006/0229944 to Walker et al. (hereinafter “Walker”).

To advance prosecution, claim 60 has been amended to recite “**the ticket being generated by the client device.**” As discussed during the telephone interview, this element is not disclosed by any of the cited references.

In addition, Applicant submits that the cited references fail to disclose “a selection on the client device selecting one of a plurality of ticket templates” or “each ticket template including access privileges for a respective one of a plurality of types of service providers,” as recited in claim 60. The Office Action admits that Bui fails to disclose the foregoing elements and instead asserts that the foregoing elements are disclosed by Takayama. Office Action, p. 3. Applicant traverses.

Takayama discloses a mobile electronic commerce system including a “service providing means [that] installs a program for an electronic ticket” on a mobile user terminal 100. Takayama at Abstract, ¶ [1095]. The electronic ticket “is used to permit a person to pass through an entrance.” *Id.* at ¶ [0038]. When a user desires to order an electronic ticket, “the user sets the mobile user terminal 100 to the ticket mode . . . [and then] employs the function switch 307 and the number key switch 308 to select a ticket issuer and to enter an order code for a desired ticket, a desired date and a desired number of tickets.” *Id.* at ¶ [1095]. Takayama also discloses that “an electronic ticket that is to be used can be selected.” *Id.* at ¶ [0448]. Although it is not clear from the Office Action, Applicant believes that the Office Action equates Takayama’s ordering of a ticket or selection of a ticket to “a selection on the client device selecting one of a plurality of ticket templates.”

However, Applicant respectfully submits that neither Takayama's ticket ordering involving "selecting a ticket issuer, entering an order code for a desired ticket, a desired date, and a desired number of tickets," nor Takayama's "an electronic ticket that is to be used can be selected," is equivalent to "a selection on the client device selecting one of a plurality of ticket templates," as recited in claim 60. In the context of claim 60, the recited "ticket" is generated in response to selection of a "template[]." The recited "ticket" itself is not selected, but rather the "one of a plurality of ticket templates" is selected, which causes the "ticket" to be generated.

Additionally, and as already indicated above, Takayama's ticket "is used to permit a person to pass through an entrance." It is clear from Takayama that Takayama's ticket is stored on a mobile device terminal of the person that is permitted to pass through the entrance. *Id.* at ¶ [0037]-[0038]. Thus, Takayama's ticket relates to permissions of a user. In contrast, the recited "each ticket template includ[es] access privileges for a respective one of a plurality of service providers."

In view of the foregoing, Applicant submits that claim 60 is distinguished over Bui and Takayama. Moreover, the Office Action does not allege, nor does Applicant believe, that Walker remedies the deficiencies of Bui and Takayama noted above. Accordingly, Applicant requests that the 35 U.S.C. § 103(a) rejection of claim 60 be withdrawn.

Although not identical in scope, claims 61-71 and 74-87 include at least some elements that are analogous to the elements of claim 1 identified above. As such, Applicant submits that claims 61-71 and 74-87 are distinguished over the cited references for at least some of the reasons discussed above with respect to claim 60.

Charge Authorization

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise

been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

CONCLUSION

In view of the foregoing, Applicant submits that the pending claims are allowable. In the event that Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview or overcome by an Examiner's Amendment, Examiner is requested to contact the undersigned attorney.

Dated this 27th day of October 2010.

Respectfully submitted,

/Paul G. Johnson/ Reg. No. 58,539

PAUL G. JOHNSON
Attorney for Applicant
Registration No. 58,539
Customer No. 022913
Telephone No. (801) 533-9800